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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/806,446	03/23/2004	Gerhard Doll	03P02294	1813
24252	7590	08/24/2005	EXAMINER	
OSRAM SYLVANIA INC 100 ENDICOTT STREET DANVERS, MA 01923			MAKIYA, DAVID J	
			ART UNIT	PAPER NUMBER
			2875	

DATE MAILED: 08/24/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

H.A

Office Action Summary	Application No.	Applicant(s)	
	10/806,446	DOLL ET AL.	
	Examiner	Art Unit	
	David J. Makiya	2875	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 30 June 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. ____. |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date <u>3/23/04</u> . | 6) <input type="checkbox"/> Other: ____. |

DETAILED ACTION

Specification

The disclosure is objected to because of the following informalities: on Page 10, Line 34, the applicant refers to “coupling element 14” which has the same reference number as the “linear electrodes 14.” The specification will assume that the “coupling element 14” be “coupling element 16.” Appropriate correction is required.

Claim Objections

Claims 1 and 14 are objected to because of the following informalities: the word “elongate lamps” will be interpreted as “elongated lamps.” Appropriate correction is required.

Claim 1 is objected to because of the following informalities: the phrase “with in” will be interpreted as “within.” Claim 1 is also objected to as failing to provide proper antecedent basis for the claimed subject matter. See 37 CFR 1.75(d)(1) and MPEP § 608.01(o). Correction of the following is required: “each case two ends” (Claim 1, Lines 2 and 3).

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-2, 6, 9-12, 14-15, 17, and 20 are rejected under 35 U.S.C. 102(b) as being anticipated by Netting (US Patent 2,434,951).

With respect to claim 1, Netting teaches a coupling element 14 for the combining of at least two elongated lamps 10 within each case two ends, the coupling element having a

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continuous receptacle area which is provided for receiving an end of each lamp, which receptacle area comprises a reflector 36 (Column 3, Lines 64-72).

With respect to claim 2, Netting teaches the coupling element which is provided receiving lamps with a tubular lamp vessel, where the receptacle area being adapted to the tubular curvature of the outer side of the lamp vessel to be received (Column 5, Lines 32-36).

With respect to claim 6, Netting teaches the coupling element with the reflector being realized by a reflective area (Column 3, Lines 64-72).

With respect to claim 9, Netting teaches the coupling element with the coupling element being developed as a lamp base (Column 6, Lines 8-9).

With respect to claim 10, Netting teaches the coupling element with the coupling element being provided with electrical contacts 20.

With respect to claim 11, Netting teaches the coupling element with the coupling element being provided with terminals 22 for an electrical power supply voltage.

With respect to claim 12, Netting teaches the coupling element with the coupling element having means 48 for mounting on a lamp carrier.

With respect to claim 14, Netting teaches an illumination system having at least two elongated lamps and at least one coupling element and a respective end of the at least two lamps being arranged in the at least one coupling element.

With respect to claim 15, Netting teaches the illumination system with the end sides of the at least two lamps being arranged within the coupling element as near as possible to one another without touching one another (Column 1, Lines 53+).

With respect to claim 17, Netting teaches the illumination system with the coupling element having a stop (Figure 6), which defines a minimum mutual distance between the end sides of the two lamps.

With respect to claim 20, Netting teaches the illumination system with at least one first lamp being provided with a respective coupling element at its two ends, in which coupling elements is arranged, in turn, a respective end of a second and a third lamp, and the electrodes of the first lamp being connected to the electrodes of the second lamp via the electrical contacts of a coupling element (Column 2, Lines 27-39).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 3-5, and 7 are rejected under 35 U.S.C. 103(a) as being unpatentable over Netting in view of Ceglia (US Patent 3,202,814).

With respect to claim 3, Netting teaches the invention disclosed above, but fails to disclose the receptacle area being realized by the inner area of a half-shell. Ceglia teaches the coupling element with the receptacle area being realized by the inner area of a half-shell (Figure 4). It would have been obvious to one of ordinary skill in the art at the time of the invention to modify the device of Netting with the teachings of Ceglia because altering the receptacle area allows more light to focus on the shadows at the ends of the tube lamps.

With respect to claim 4, Netting teaches the invention disclosed above, but fails to disclose the receptacle area being realized by a hole in the coupling element. Ceglia teaches the coupling element with the receptacle area being realized by a hole 35 in the coupling element. It would have been obvious to one of ordinary skill in the art at the time of the invention to modify the coupling element of Netting with the teachings of Ceglia because altering the receptacle area allows more light to focus on the shadows at the ends of the tube lamps.

With respect to claim 5, Netting teaches the invention disclosed above, but fails to disclose the receptacle area being realized by the inner area of a hollow cylinder. Ceglia teaches the coupling element with the receptacle area being realized by the inner area of a hollow cylinder 35. It would have been obvious to one of ordinary skill in the art at the time of the invention to modify the Netting coupling element with the teachings of Ceglia because altering the receptacle area allows more light to focus on the shadows at the ends of the tube lamps.

With respect to claim 7, Netting teaches the invention disclosed above, but fails to disclose the coupling element with the reflector housing being realized by a diffusely reflective area. Ceglia teaches the coupling element with the reflector being realized by a diffusely reflective area (Column 3, Lines 22-30). It would have been obvious to one of ordinary skill in the art at the time of the invention to modify the coupling element of Netting with the teachings of Ceglia because making the housing diffusely reflective allows some light to pass through the housing which provides a broader area of light near the coupling element.

With respect to claim 13, Netting teaches the invention disclosed above, but fails to disclose the coupling element with the coupling element being in two parts. Ceglia teaches the coupling element with the coupling element being in two parts 31. It would have been obvious

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to one of ordinary skill in the art at the time of the invention to modify the coupling element of Netting with the teachings of Ceglia because making the coupling element into two parts allows for easier manufacturing and assembly of the electrical components.

Claims 8 and 16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Netting.

With respect to claim 8, Netting teaches the coupling element with the reflector but does not disclose the coupling element being realized by a reflective foil arranged on the receptacle area. It would have been obvious to one of ordinary skill in the art at the time of the invention to use a reflective foil because a foil has a high index of refraction that would easily disperse light.

With respect to claim 16, Netting teaches the illumination system except for the end sides of the at least two lamps being arranged within the coupling element with a mutual distance of approximately $a=1\text{mm}$. It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the mutual distance between the lamps to 1 mm, since it has been held by the courts that, where the only difference between the prior art and the claims was a recitation of relative dimensions of the claimed device, and a device having the claimed relative dimensions would not perform differently than the prior art device, the claimed device was not patentably distinct from the prior art device. *In Gardner v. TEC Systems, Inc.*, 725 F.2d 1338, 220 USPQ 777 (Fed. Cir. 1984), cert. denied, 469 U.S. 830, 225 USPQ 232 (1984),

Claims 18 and 19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Netting in view of the applicant's admitted prior art.

With respect to claim 18, Netting teaches the illumination system above, but fails to teach the system with the at least two lamps being aperture lamps. By the applicant's own admission, Page 1, Lines 16-20, it is conventional to one of ordinary skill in the art to use aperture lamps. It

would have been obvious to one of ordinary skill in the art at the time of the invention to modify the illumination system in the Netting teachings with aperture lamps because aperture lamps concentrate light in a directed region.

With respect to claim 19, Netting teaches the illumination system except at least two lamps being dielectrically impeded discharge lamps. By the applicant's own admission, Page 9, Lines 19-27, it is conventional to one of ordinary skill in the art to use a dielectrically impeded discharge lamp (US Patent 6,605,899). It would have been obvious to one of ordinary skill in the art at the time of the invention to modify the illumination system in the Netting teachings with dielectrically impeded discharge lamps because this minimizes the amount of dark areas created by the lamps.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Berlinghof et al. (US Patent 6,605,899) teaches a dielectric barrier discharge lamp. Wilson (US Patent 6,224,237) teaches the use of an aperture lamp. Cetrone (US Patent 4,712,165) teaches a lighting system using pipes and fittings as coupling elements. Entrop et al. (US Patent 5,357,412) teaches a device that mounts two tube lamps and an additional lamp for end illumination.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to David J. Makiya whose telephone number is (571) 272-2273. The examiner can normally be reached on Monday-Friday 7:30am - 4:00pm (ET). The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

DJM 8/18/2005


RENEE LUEBKE
PRIMARY EXAMINER